

1
2
3
4
5
6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
8

9 SATURNINO PRADO,) No. C 08-4602 JSW (PR)
10 Petitioner,)
11 vs.) **TRANSFER ORDER**
12 WARDEN,)
13 Respondent.) (Docket No. 2)
14

15 Petitioner, a California prisoner incarcerated at California State Prison-
16 Sacramento in Represa, California, seeks federal habeas review of his conviction from
17 Los Angeles County, which lies within the venue of the Central District of California.
18 See 28 USC § 84(b). Venue is proper in a habeas action in either the district of
19 conviction or the district of confinement, see id § 2241(d). However, federal courts in
20 California traditionally have chosen to hear petitions challenging a conviction or
21 sentence in the district of conviction. *See Dannenberg v. Ingle*, 831 F. Supp. 767, 767
22 (N.D. Cal. 1993); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968).

23 Because the County of Los Angeles lies in the Central District of California, the
24 Court ORDERS that pursuant to 28 USC § 1404(a) and Habeas LR 2254-3(b), and in the
25 interest of justice, this petition be TRANSFERRED to the United States District Court
26 for the Central District of California. Because this Court is transferring Petitioner's case
27 to the Central District of California, it will not resolve the pending motion seeking in
28

1 forma pauperis status (docket no. 2).

2 The Clerk of the Court is directed to transfer this matter forthwith.

3 IT IS SO ORDERED.

4 DATED: October 20, 2008



JEFFREY S. WHITE
United States District Judge

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SATURNINO PRADO,

Case Number: CV08-04602 JSW

Plaintiff,

CERTIFICATE OF SERVICE

V.

WARDEN, et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 20, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Saturnino Prado #P98312
P.O. Box 290066
Represa, CA 95671

Dated: October 20, 2008

Jennifer Ottolini
Richard W. Wiekling, Clerk
By: Jennifer Ottolini, Deputy Clerk

28